

GIBSON, DUNN & CRUTCHER LLP
THEODORE J. BOUTROUS, JR., SBN 132099
tboutrous@gibsondunn.com
THEANE D. EVANGELIS, SBN 243570
tevangelis@gibsondunn.com
BLAINE H. EVANSON, SBN 254338
bevanson@gibsondunn.com
HEATHER RICHARDSON, SBN 246517
hrichardson@gibsondunn.com
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: 213.229.7000
Facsimile: 213.229.7520

JOSHUA S. LIPSHUTZ, SBN 242557
jlipshutz@gibsondunn.com
1050 Connecticut Avenue, N.W.
Washington D.C. 20036-5306
Telephone: 202.955.8500
Facsimile: 202.467.0539

Attorneys for Defendant Uber Technologies, Inc.
and Dara Khosrowshahi

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

JOHN CAPRIOLE, MARTIN EL KOUSSA,
and VLADIMIR LEONIDAS, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC., and DARA
KHOSROWSHAHI,

Defendants.

CASE NO. 3:20-cv-02211-EMC

**NOTICE OF ADDITIONAL AUTHORITY
IN CONNECTION WITH DEFENDANTS'
MOTION TO COMPEL ARBITRATION
AND DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

**TO THE COURT AND EACH PARTY AND THE ATTORNEY OF RECORD FOR
EACH PARTY**

Defendants Uber Technologies, Inc. and Dara Khosrowshahi, respectfully submit this Notice of Additional Authority in Connection with Defendants’ Motion to Compel Arbitration and Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction. Attached hereto as **Exhibit A** is the San Francisco County Superior Court’s “Order Granting Motion to Compel Arbitration and Stay and Denying Application for Emergency Injunctive Relief,” in *Rogers v. Lyft, Inc.*, No. CGC-20-583685 (Cal. Sup. Ct. Apr. 30, 2020), which held that claims predicated on the purported misclassification of workers under California labor laws are not requests for “public injunctive relief.”

Also attached hereto as **Exhibit B** is the “Amicus Brief from Former Governors Urging the Denial of the Motion Seeking an Emergency Preliminary Public Injunction,” filed by former California Governors Gray David and Arnold Schwarzenegger in *Rogers v. Lyft, Inc.*, No. CGC-20-583685 (Cal. Sup. Ct. Apr. 30, 2020), and referenced in the court’s order (at p.11).

Dated: May 3, 2020

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Theane Evangelis

Theane Evangelis

Attorney for Defendants UBER TECHNOLOGIES, INC.
and DARA KHOSROWSHAHI

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of May, 2020, I filed the foregoing document with this Court using the CM/ECF filing system. This system sends notifications of such filing and service to all counsel of record.

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Theane Evangelis

Theane Evangelis

Attorney for Defendants UBER TECHNOLOGIES, INC.
and DARA KHOSROWSHAHI